



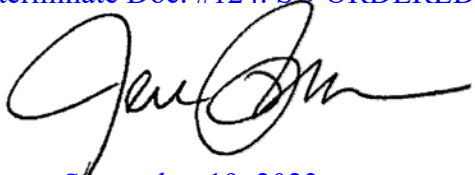
Zweiback Fiset & Zaldduendo <sup>LLP</sup>

September 18, 2023

**VIA CM/ECF**

Application GRANTED. The Clerk of Court is directed to terminate Doc. #124. SO ORDERED.

Hon. Jesse M. Furman  
United States District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007



September 19, 2023

*Re: United States v. Skye Xu*, No. 23 Cr. 133 (JMF)  
**Request for Modifications of Bail Conditions**

Dear Judge Furman,

We represent defendant Skye Xu in the above-captioned matter. We write to respectfully request two modifications to Mr. Xu's conditions of release.

First, we seek the Court's permission to substitute Layuan Xu ("Layuan") in place of surety Jason Zhang on the same terms and conditions, namely, an affidavit of surety without justification in the amount of \$125,000.<sup>1</sup> Layuan is Mr. Xu's father. Layuan has been interviewed and approved as a surety by the U.S. Attorney's Office.

Second, as a condition of his release, Mr. Xu surrendered his U.S. passport to United States Probation and Pretrial Services in the Central District of California. Mr. Xu is scheduled to participate by videoconference in an international business meeting on September 21, 2023 at 6:30 p.m., during which he has been asked to present his passport as a form of identification. We respectfully request that the Court modify Mr. Xu's bond to permit Pretrial Services to release Mr. Xu's passport to Mr. Xu's criminal counsel from September 21, 2023 to September 22, 2023, with the understanding that we will maintain possession, custody, and control of the passport at all times and Mr. Xu will participate in the videoconference from our office.

We have conferred with the government and Pretrial Services regarding these requests. Assistant United States Attorney Katherine Reilly has confirmed via email that the government does not object to the requested modifications. Supervisory Pretrial Services Officer Dennis Khilkevich (S.D.N.Y.) advised via email that Pretrial Services "defers to the Government on both" modifications.

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<sup>1</sup> Mr. Zhang intends to purchase a home in the coming weeks and has asked to be relieved of his obligations as a surety so that it does not affect the terms of any financing he may obtain.

Hon. Jesse M. Furman  
September 18, 2023  
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Thank you for your consideration of these requests.

Respectfully Submitted,

ZWEIBACK, Fiset & ZALDUENDO, LLP

A handwritten signature in blue ink, appearing to read 'Styly'.

SCOTT D. TENLEY  
Attorneys for Defendant Skye Xu

cc. All counsel of record (via CM/ECF)